

April 4, 1973

Mr. A. J. Fitch  
Manager, The Anaconda Company  
P. O. Box 638  
Grants, New Mexico 87020

Dear Mr. Fitch:

Attached is a copy of the regulations under the New Mexico Coal Surface Mining Act that you asked about during our discussion on March 28. Although they do not apply to open pit metal mining, they do provide for an understanding of what regulations for such mines could be like when promulgated under an appropriate act.

As you know, the Survey's regulations (30 CFR Part 231.10(c)) do apply and you will find that most of the State's requirements are simply expanded versions of the more briefly stated Federal rules.

Also enclosed is a copy of the check list we use in the preparation of our "Environmental Impact Analysis" report for all proposed mining and exploration plans as required under the National Environmental Policy Act. Every report for a surface mining plan will be intensively reviewed at our Areal, Regional and Divisional levels to determine if an "Environmental Impact Statement" will be necessary.

Reliable published reports indicate that the enactment of both a Federal and a State noncoal surface mining statute is expected within a year or two. Consequently, I believe that compliance now with both the existing requirements as well as those implied in the attached material will work to your advantage in the preparation of your mining plan for the Jackpile-Paguate mines.

Sincerely yours,

Philip B. Mudgett

PBM:nb